

ATTACHMENT 5

THE COLONY
C/O ROSSI ENTERPRISES
750 PISMO STREET • SAN LUIS OBISPO, CA 93401
TELEPHONE: (805) 543-4333 • FACSIMILE: (805) 543-4220

October 29, 2015

Megan Martin, Project Manager
County of San Luis Obispo, Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: DRC2014-00096 / Colony Lot 1 Appeal

Dear Ms. Martin:

We are writing in response to the Coastal appeal no. 905 filed regarding the proposed development at 2999 Avila Beach Drive (Colony, Lot 1). There are a number of points we believe need to be restated and are clearly already included in the record.

First, the project was previously approved on August 21, 2009, DRC2006-00181, without any contention of the issues now brought forward. That approval expired and we were required to resubmit the "identical plans" that received the prior approval.

With regard to the two (2) issues asserted, we clarify the following. The proposed is not as tall as the existing neighboring structures and is well below the allowable height limit. Moreover, the characterization, it is "larger," is misleading. The portion at grade is similar in square footage and massing, if not smaller than the two (2) structures already constructed. The square footage delineated in the application includes the lower level below grade. From the standpoint of Avila Beach Drive and/or the parking, there is no visible difference with the massing and scale of the structure with the neighbors.

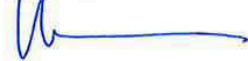
The site design has provided six (6) on-site vehicle spaces, four (4) full-size and two (2) compact. Charging stations are proposed at two (2) locations for electric plug in. The site is generously over parked.

Last but not least, the First Street interchange has more than enough existing public land on both sides (see Aerial Map) for any type of additional widening, turn lanes or any other reconfiguration that the County might desire in the future.

Our building setback from our property at 5 feet meets code. That property line, on the Avila Beach Drive frontage, is more than 65 feet from the existing interchange. That interchange currently has turn lanes in each direction.

We just wanted to highlight these considerations as this appeal is without merit.

Best Regards,



Rob Rossi ✓

Enclosures: Appeal letter and Application
Aerial Map
Site Parking Plan

cc: Steve McMasters, Supervising Planner
Whitney McDonald, County Counsel



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

October 2, 2015

Sherri Danoff
PO Box 2382
Avila Beach, CA 93424

✓ Studio Design Group Architects, Inc.
Attn: Tim Ronda
762 Higuera Street
San Luis Obispo, CA 93401

Creekside Lofts
PO Box 12910
San Luis Obispo, CA 93406

SUBJECT: APPEAL OF CREEKSIDE LOFTS
COUNTY FILE NUMBER: DRC2014-00096
HEARING DATE: SEPTEMBER 18, 2015

We have received your request on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, Land Use Ordinance Section 22.70.050, and the County Coastal Zone Land Use Ordinance 23.01.043, the matter will be scheduled for public hearing before the Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

Nicole Retana, Secretary
County Planning Department

CC: Megan Martin, Project Manager
Steve McMasters, Supervising Planner
Whitney McDonald, County Counsel

976 OSOS STREET, ROOM 300 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



COASTAL APPEALABLE FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

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Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

PROJECT INFORMATION

 Name: Orekside
Lofts
(Colony Lot 1)
File Number: DRG 2014-00096

Type of permit being appealed:

☐ Plot Plan ☐ Site Plan ☒ Minor Use Permit ☐ Development Plan/Conditional Use Permit
☐ Variance ☐ Land Division ☐ Lot Line Adjustment ☐ Other: _____

The decision was made by:

☐ Planning Director (Staff) ☐ Building Official ☒ Planning Department Hearing Officer
☐ Subdivision Review Board ☐ Planning Commission ☐ Other: _____

Date the application was acted on: 9/18/15

The decision is appealed to:

☐ Board of Construction Appeals ☐ Board of Handicapped Access
☐ Planning Commission ☒ Board of Supervisors

BASIS FOR APPEAL

☐ INCOMPATIBLE WITH THE LCP. The development does not conform to the standards set forth in the Certified Local Coastal Program of the county for the following reasons (attach additional sheets if necessary)

Explain: Inadequate side setback; inadequate parking for vacation rental; building massive - 40% larger than other Colony Houses.

☐ INCOMPATIBLE WITH PUBLIC ACCESS POLICIES. The development does not conform to the public access policies of the California Coastal Act - Section 30210 et seq of the Public Resource Code (attach additional sheets if necessary)

Explain: Inadequate onsite parking results in use of street parking needed by general public to access coastal resources

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number _____ Reason for appeal (attach additional sheets if necessary)

APPELLANT INFORMATION

Print name: Sherri DanoffAddress: P.O. Box 2382Phone Number (daytime): 805, 595, 2248Avalon Beach 93424

I/We are the applicant or an aggrieved person pursuant to the Coastal Zone Land Use Ordinance (CZLUO) and are appealing the project based on either one or both of the grounds specified in this form, as set forth in the CZLUO and State Public Resource Code Section 30603 and have completed this form accurately and declare all statements made here are true.

Signature: Sherri DanoffDate: 10/1/15

OFFICE USE ONLY

Date Received: 10/2/15By: NABAmount Paid: 0Receipt No. (if applicable): N/A



COASTAL APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

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Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

PROJECT INFORMATION

Name: Creekside Lofts
Colony Lot 1

File Number: DRC 2014-00096

Type of permit being appealed:

- ☐ Plot Plan ☐ Site Plan ☒ Minor Use Permit ☐ Development Plan/Conditional Use Permit
☐ Variance ☐ Land Division ☐ Lot Line Adjustment ☐ Other: _____

The decision was made by:

- ☐ Planning Director (Staff) ☐ Building Official ☒ Planning Department Hearing Officer
☐ Subdivision Review Board ☐ Planning Commission ☐ Other: _____

Date the application was acted on: 9/18/15

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access
☐ Planning Commission ☒ Board of Supervisors

BASIS FOR APPEAL

State the basis of the appeal. Clearly state the reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed). (Attach additional sheets if necessary)

Inadequate side setback from First Street; inadequate parking for vacation rental; massive building - 40% larger than other Colony houses

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number _____ Reason for appeal (attach additional sheets if necessary)

APPELLANT INFORMATION

Print name: Sherril Danoff

Address: PO Box 2382, Avila Beach 93424

Phone Number (daytime): 805.595.2208

We have completed this form accurately and declare all statements made here are true.

Sherril Danoff
Signature

10/6/15
Date

OFFICE USE ONLY

Date Received: 10/2/15

Amount Paid: 0

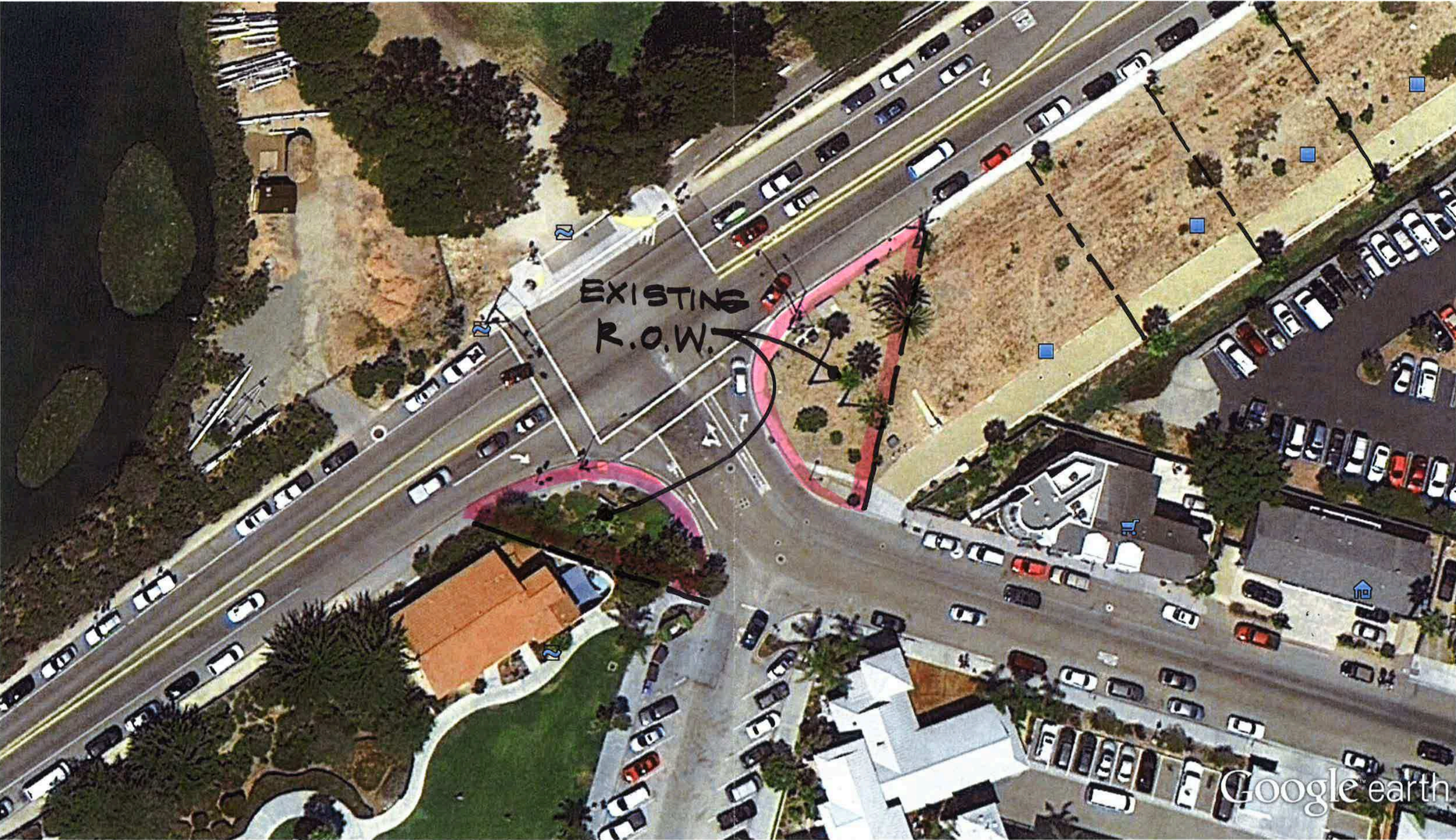
By: N/A

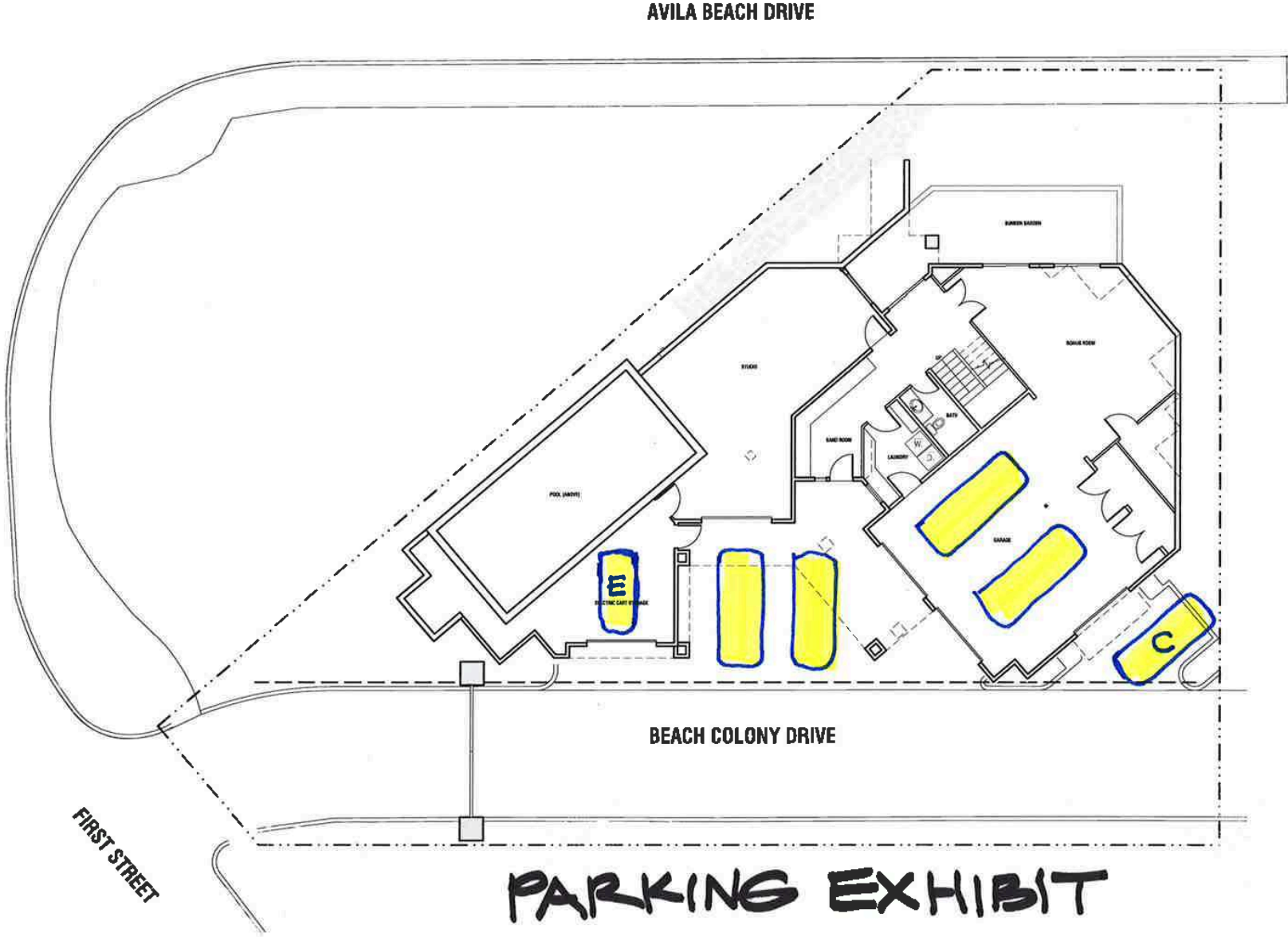
Receipt No. (if applicable) N/A

COASTAL APPEAL FORM
SAN LUIS OBISPO COUNTY PLANNING & BUILDING
SLOPLANNING.ORG

PAGE 3 OF 3
APRIL 23, 2015
PLANNING@CO.SLO.CA.US

*insufficient parking does not enable public access to coastal resources





1 SITE PLAN
SCALE: 1/8" = 1'-0"

10
TEN OVER
STUDIO, INC
539 Marsh Street,
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com
www.tenoverstudio.com

COLONY AVILA BEACH
2999 AVILA BEACH DRIVE
10.29.15